

RESOLUTION NO. 75227

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE AUTHORIZING THE CITY MANAGER OR DESIGNEE TO SUBMIT AN APPLICATION TO THE STATE OF CALIFORNIA UNDER THE BICYCLE TRANSPORTATION ACCOUNT (BTA) PROGRAM, FOR A GRANT IN THE AMOUNT NOT TO EXCEED \$724,500, FOR THE COYOTE CREEK TRAIL REACH 3 (HIGHWAY 237 BIKEWAY TO TASMAN DRIVE) PROJECT, TO ACCEPT THE GRANT IF AWARDED, AND TO NEGOTIATE AND EXECUTE ALL RELATED DOCUMENTS

WHEREAS, the California Streets and Highways Code, Bicycle Transportation Account ("BTA") provides funds for grants to local agencies for projects that improve safety and convenience for bicycle commuters; and

WHEREAS, the State of California, Bicycle Facilities Unit, has the responsibility for the administration of the program within the State, setting up necessary procedures governing project applications under the program; and

WHEREAS, the City of San José ("City") proposes to complete a segment of the Coyote Creek Trail System consisting of the Coyote Creek Trail Reach 3 (Highway 237 Bikeway to Tasman Drive) Project, included in the San José Bike Plan 2020; and

WHEREAS, the City, if selected, will enter into an agreement with the State of California to complete the Project; and

WHEREAS, said procedures and criteria established by the State of California require a resolution certifying the approval of the application by the applicant's governing body before submission of said application to the State; and

WHEREAS, if the grant is awarded, the City will be required to provide a match in an amount not to exceed Eighty Four Thousand Dollars (\$84,000), which is equal to ten percent (10%) of the estimated funding required for the Project;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City certifies that if the State of California awards a grant for the Project and the parties enter into a fully executed grant agreement, the City will commit to each of the following:
 - a. Provide an amount not to exceed Eighty Four Thousand Dollars (\$84,000) in local matching funds for the Project.
 - b. Have available sufficient funds to operate and maintain the Project.
2. The City Manager, or designee, is authorized to submit a grant application to the State of California under the State of California Bicycle Transportation Account grant program for the Coyote Creek Trail Reach 3 (Highway 237 Bikeway to Tasman Drive) Project.
3. The City Manager, or designee, is further authorized to accept the grant on behalf of the City and to negotiate and execute any documents necessary to effectuate the grant.

ADOPTED this 15th day of December, 2009, by the following vote:

AYES: CAMPOS, CHIRCO, CHU, CONSTANT, HERRERA,
KALRA, LICCARDO, NGUYEN, OLIVERIO, PYLE, REED.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



CHUCK REED
Mayor

ATTEST:


LEE PRICE, MMC
City Clerk